

21 C.J.S. Courts § 249

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Courts

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VII. Records

§ 249. Amendment of court records—Time to amend

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, [Courts](#)  116(4)

The power to amend the record is generally not lost by the mere lapse of time.

A court's power to amend its records is usually not lost by the lapse of time.¹ Amendments to correct clerical errors may be made after the entry of final judgment.² Because the record may be corrected at any time regardless of whether the court has jurisdiction over the case,³ amendments are not barred the lapse of the time specified in procedural rules for the modification of orders,⁴ or during the pendency of an appeal.⁵ However, the time for making corrections may be limited to before the record is filed on appeal.⁶

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Footnotes

1

Cal.—*People v. Mitchell*, 26 Cal. 4th 181, 109 Cal. Rptr. 2d 303, 26 P.3d 1040 (2001).

Idaho—Glennon v. Fisher, 51 Idaho 732, 10 P.2d 294 (1932).

N.C.—State v. Dixon, 139 N.C. App. 332, 533 S.E.2d 297 (2000).

Va.—Zhou v. Zhou, 38 Va. App. 126, 562 S.E.2d 336 (2002).

Illegal entries

A court may at any time clear its records of unauthorized and illegal entries.

Neb.—Capital One Bank (USA), N.A. v. Lehmann, 23 Neb. App. 292, 869 N.W.2d 917 (2015).

2 Ill.—Ashline v. Verble, 130 Ill. App. 3d 544, 85 Ill. Dec. 804, 474 N.E.2d 764 (5th Dist. 1984).

Mass—Kelly v. Foley, 284 Mass. 503, 188 N.E. 349 (1933).

3 Mo.—Pirtle v. Cook, 956 S.W.2d 235 (Mo. 1997).

4 Pa.—Com. v. Baio, 2006 PA Super 97, 898 A.2d 1095 (2006).

5 Cal.—People v. Mitchell, 26 Cal. 4th 181, 109 Cal. Rptr. 2d 303, 26 P.3d 1040 (2001).

Ill.—People ex rel. Willett Motor Coach Co. v. Board of Educ. of City of Chicago, 171 Ill. App. 3d 166, 121 Ill. Dec. 107, 524 N.E.2d 1155, 47 Ed. Law Rep. 632 (1st Dist. 1988).

Ky.—Machniak v. Com., 351 S.W.3d 648 (Ky. 2011).

Or.—1000 Friends of Oregon v. Land Conservation and Development Com'n, 301 Or. 622, 724 P.2d 805 (1986).

6 Ind.—Anderson v. Horizon Homes, Inc., 644 N.E.2d 1281 (Ind. Ct. App. 1995).